

# **Exhibit 2**

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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IN RE GOOGLE PLAY STORE Case No.  
ANTITRUST LITIGATION 3:21-md-02981-JD

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC, et al.,  
Case No. 3:20-cv-05671-JD

In re Google Play Consumer Antitrust  
Litigation, Case No. 3:20-cv-05761-JD

State of Utah, et al. v. Google LLC et al.,  
Case No. 3:21-cv-05227-JD

Match Group LLC, et al. V. Google LLC et al.,  
Case No. 3:22-cv-02746-JD

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\*\* HIGHLY CONFIDENTIAL - UNDER PROTECTIVE ORDER \*\*

REMOTE VIDEOTAPED DEPOSITION OF  
SUNDAR PICHAI  
Monday, February 27, 2023

REPORTED BY:

RENEE HARRIS, CA CSR 14168, NJ CCR, RPR

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1 MR. POMERANTZ: Objection to the form.

2 THE WITNESS: I rarely -- I mean, I don't  
3 recall generally specific instances where I  
4 have done it recently, so, you know -- but if  
5 I -- those are the kind of reasons for which  
6 I may do, like something to do with a  
7 personal matter or something like that.

8 (Exhibit 2731 was received and marked  
9 for identification on this date and is  
10 attached hereto.)

11 BY MS. GIULIANELLI:

12 Q. Okay. Now, I've marked as Exhibit 2731 a  
13 new document. Is this a copy of some Chats that  
14 you were on from what is known as a threaded room  
15 that were sent and received October 12th, 2021?

16 A. What is a threaded room? I haven't heard  
17 that terminology before.

18 Q. Well, I'm just reading the subject, and  
19 it says "MBI-THREADED."

20 So was this a group chat?

21 A. I would have -- I mean, I've never seen  
22 that particular -- that seems some notification,  
23 the system files, it's not in the product that  
24 way. But I would assume it's a group chat or a  
25 space or something like that.

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1 Q. Is this a copy of Chats that you sent and  
2 received in October -- October 12th, 2021?

3 A. It definitely sounds like I'm a member  
4 participating in at least somewhat of a chat with  
5 one other person. I don't know whether it's a  
6 group chat or not. Yeah.

7 Q. And if you go -- there's a few pages in  
8 this exhibit. And the third page of the exhibit,  
9 I will represent to you for the record, was  
10 produced at the same time. And it looks, at least  
11 to us, like this was the link in the chat and the  
12 attachment. So I've marked it just for purposes  
13 of being complete.

14 A. Okay. Thank you.

15 Q. And did you review this chat to refresh  
16 your recollection during preparation for the  
17 deposition?

18 MR. POMERANTZ: I will instruct him not  
19 to answer that. That's not -- that would  
20 call for work product.

21 BY MS. GIULIANELLI:

22 Q. Did you review any documents in  
23 preparation for your deposition that refreshed  
24 your recollection?

25 A. Sorry, could you repeat the question

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1 again.

2 Q. Sure.

3 In preparation for your deposition, did  
4 you review any documents that refreshed your  
5 recollection?

6 A. No, not -- not other than what I saw  
7 during that time, yeah.

8 Q. And do these Chats that -- well, strike  
9 that.

10 Now, here in -- in these Chats, you ask  
11 the group if they can change the setting of this  
12 group to history off.

13 Do you see that?

14 A. I see that in the second line.

15 Q. And when the setting is changed to  
16 history off, the Chat is deleted; right?

17 A. I haven't done it -- I mean, there's  
18 something there, so I can't fully remember what  
19 happens. I think -- I don't know whether  
20 subsequent conversations are off the -- I can't  
21 fully tell you with certainty how it works.

22 Q. Now, why did you ask for history to be  
23 off in these Chats?

24 A. I don't recall this interaction at all.  
25 Looking at the attached document of Leaders

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1 Circle, and at this point I'm speculating, you  
2 know, it might have had something to do with where  
3 I was planning to give feedback on who the  
4 speakers are or what my perception of, like,  
5 somebody's -- so it might have been some personal  
6 comments like that.

7 Q. Now, after you asked for the history off  
8 setting to be engaged, am I right that you tried  
9 to delete that request that the Chat history be  
10 changed to history off? Right?

11 A. I definitely don't know. I don't recall  
12 doing something like that.

13 Q. Yeah. And see here where it says "also  
14 can we change the setting of this group history  
15 off," and then there's a mark that says "Deleted,"  
16 and then it repeats.

17 Do you see that?

18 A. I mean, I see what's in the transcript in  
19 front of me, yes, but I don't know what the  
20 "Deleted" means.

21 Q. You don't recall asking for -- your  
22 request to change history off to be deleted?

23 A. Oh, no, I don't recall that.

24 Q. Do you ever try to keep some more  
25 sensitive things off of e-mail?

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1           A. I mean, if I'm in -- sure, if I'm going  
2 to give feedback to some person, I may not choose  
3 to do it over e-mail and might choose to prefer to  
4 give it to them in person, etc., sure, there are  
5 aspects of that.

6           Q. Have you ever received training at Google  
7 to the effect that because Google is constantly in  
8 the public eye or a courtroom, that for certain  
9 kinds of communications, Chat would be better than  
10 e-mail?

11           MR. POMERANTZ: Objection to the form.

12           THE WITNESS: No.

13 BY MS. GIULIANELLI:

14           Q. Have you ever received training at Google  
15 about how best to communicate given the various  
16 demands on Google?

17           A. At a high level, yes.

18           Q. And did any of that training say that  
19 Chats might be better than -- than e-mail for  
20 certain kinds of communications?

21           A. Not that I recall.

22           Q. Have you ever had any kind of training  
23 called "Communicate with Care"?

24           A. I've heard of that. But I think  
25 sometimes for these trainings, my general counsel

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1 or someone kind of sits and talks me through. So  
2 I don't necessarily need to go through that same  
3 version of that training. So I'm not sure I went  
4 through that in specific, but I've heard of that.

5 Q. Okay. Now, let's talk about Facebook.  
6 Facebook is now called Meta Platforms, but if it's  
7 all right, for purposes of this deposition, I'll  
8 refer to it as Facebook. Is that okay with you?

9 A. Yes.

10 Q. Now, the Facebook app is preloaded on a  
11 large number of Android devices?

12 A. That's my understanding.

13 Q. And do you know that Facebook has what  
14 are known as install packages permissions on many  
15 Android devices?

16 A. That's my understanding.

17 Q. And the preloaded Facebook app has access  
18 to permissions to install or update other apps  
19 without triggering Unknown Sources or other  
20 warnings; is that right?

21 A. I'm not sure of all the specifics, but I  
22 would say that's probably right, yeah.

23 Q. Is it also your understanding that those  
24 install permissions are not available to apps that  
25 are downloaded by a consumer?